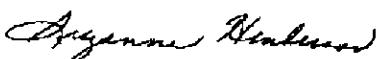


**Electronically Recorded**

Official Public Records



Suzanne Henderson

Tarrant County Texas

2008 Dec 19 07:31 AM

Fee: \$ 20.00

**D208460921**

Submitter: SIMPLIFILE

2 Pages

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

**AMENDMENT OF OIL, GAS AND MINERAL LEASE**

**STATE OF TEXAS }  
COUNTY OF TARRANT }**

**WHEREAS,** David R. Owens and wife, Connie Owens, executed an Oil, Gas and Mineral Lease, dated May 07, 2004, in favor of Adexco Production Company, which is recorded as Document No. D204299243 in the Official Public Records of Tarrant County, Texas, (the "Lease"), whereby Lessor leased the following described property situated in Tarrant County, Texas,

3.00 acres of land, more or less, more particularly described in a Deed dated March 13, 1998, from Norris Emery Kahler, et ux to David R. Owens, et ux, and recorded in Volume 13129, Page 156, Official Public Records of Tarrant County, Texas.

(Leased property being the same as Lot 12, Block 1 Tate Addition, Plat 388-179 Page 95 Plat Records Tarrant County, Texas)

**AND WHEREAS,** the Lease and all rights and privileges thereunder, are now owned and held by XTO Energy Inc. (hereinafter referred to as "Lessee"), a Delaware corporation.

**AND WHEREAS,** it was ordered and decreed in the Agreed Final Decree of Divorce styled In the Matter of the Marriage of David Ray Owens and Connie Jean Owens and in the Interest of Jeremy M. Owens, Cause No. 325-395620-05, in the 325<sup>th</sup> Judicial District Court, Tarrant County, Texas, recorded at County Clerk's Document No. D206294277, Official Public Records, Tarrant County, Texas, that David Ray Owens be awarded all the interest of Connie Jean Owens in the above described property, and that David R. Owens, a/k/a David Ray Owens, a divorced person, having not since remarried (referred to herein as "Lessor") now possesses one hundred percent (100%) of the interest in the above described property as his sole and separate property.

**AND WHEREAS,** Lessor agrees to amend the Lease in accordance with the terms hereof.

**NOW THEREFORE,** notwithstanding anything to the contrary, Lessor hereby amends the Lease to add the following provision to the end of paragraph 4 of the Lease:

Any unit formed may be amended, re-formed, or enlarged by Lessee at its election at any time and from time to time after the original forming thereof by filing an appropriate instrument of record in the public office in which the pooled acreage is located, provided the size of such unit does not exceed the size allowed under this Lease.

**AND,** for the same consideration recited above, Lessor does hereby adopt, ratify and confirm the Lease, and all of its provisions, except as herein modified and amended, and does hereby grant, lease, and let to the Lessee therein or its successors and assigns, any and all interest which Lessor now has, or may hereafter acquire, either by conveyance, devise, inheritance or operation of laws, and whether vested, expectant, contingent or future, in and to the Land, in accordance with each and all of the provisions contained in the Lease and as amended hereby, and the Lessor hereby declares that the Lease and all of its provisions, as amended, are binding on the Lessor and Lessee and is a valid and subsisting oil and gas lease and this agreement shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of the Lessor and Lessee.

D208460921

**WITNESS WHEREOF**, this Amendment is executed on the respective date of Lessor's acknowledgment below, but is effective as of the date of the Lease.



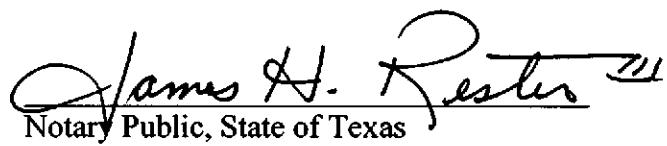
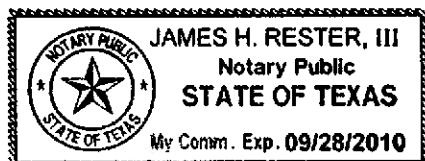
David R. Owens, a/k/a David Ray Owens

Address: 7494 Bent Trail  
Mansfield, Texas 76063

#### ACKNOWLEDGMENT

STATE OF TEXAS  
COUNTY OF Tarrant }

This instrument was acknowledged before me on the 11<sup>th</sup> day of December, 2008, by David R. Owens, a/k/a David Ray Owens, a divorced person, having not since remarried.



James H. Rester

Notary Public, State of Texas

Return to: Bryson G. Kuba  
6127 Green Jacket Dr.  
Apt.# 1136  
Fort Worth, TX 76137